

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	CASE NO. 1:04CR453-3
)	
PLAINTIFF,)	JUDGE PETER C. ECONOMUS
)	
V.)	
)	
LENNON WILLMON,)	
)	
DEFENDANT.)	ORDER
)	

On January 18, 2005, the Defendant, Lennon Willmon, was sentenced to thirty-seven (37) months imprisonment, followed by three (3) years of supervised release, for conspiracy to possess with the intent to distribute & distribution of crack cocaine, a class C felony. His supervised release commenced on August 30, 2007.

On or about August 7, 2009, the Defendant's probation officer submitted a violation report alleging the following violations of the terms of supervised release:

1. Unauthorized Use of Illegal Substances;
2. Failure to Attend Drug Aftercare;
3. New Law Violation;
4. Failure to Submit Written Monthly Supervision Reports.

On August 14, 2009, the matter was referred to Magistrate Judge Benita Y. Pearson to conduct the appropriate proceedings, except for sentencing, and to prepare a report and recommendation. (Dkt. # 143). The Defendant failed to appear at a

supervised release hearing scheduled on August 27, 2009, and therefore Magistrate Judge Pearson issued a warrant for the Defendant's arrest. The Defendant was arrested and appeared before Magistrate Judge Gallas on October 28, 2009. On November 6, 2009, the Defendant appeared before Magistrate Judge Pearson for a violation hearing and was represented by counsel Jacqueline Johnson of the Office of the Federal Public Defender.

At the November 6, 2009, hearing, the Defendant admitted the violations and presented mitigating evidence. The Magistrate Judge has issued a report and recommendation, recommending that the Court find that the Defendant has violated the terms of his supervised release. The Magistrate Judge further recommends that the Defendant's supervised release be continued as modified by the following combination of conditions:

1. Defendant must participate in the Location Monitoring Program as approved by the U.S. Probation Office with all costs of such program waived;
2. Defendant must participate in the curfew component of the location monitoring program and abide by a 5:00 p.m. curfew;
3. Defendant must have a daily schedule that includes mandatory outpatient drug treatment and employment or counseling; and
4. Defendant must participate in a reentry program such as that identified in Exhibit Z or an alternative similar program deemed appropriate by the U.S. Probation Office.

The Court has reviewed the Magistrate's report and recommendation and finds that it is well-supported. The Defendant has admitted the violations as charged in the

probation officer's August 7, 2009, violation report. As a result, the Court finds that the Defendant has violated the terms of his supervised release.

The Court hereby **ADOPTS** the Magistrate's Report and Recommendation. (Dkt. # 154). The Court hereby orders that the Defendant's supervised release be modified as described.

IT IS SO ORDERED.

/s/ Peter C. Economus – November 24, 2009
PETER C. ECONOMUS
UNITED STATES DISTRICT JUDGE